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JAN 17 1995

BOARD OF PHARMACY

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ATTORNEY GENERAL OF NEW JERSEY

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Administrative Action

CONSENT ORDER

HERBERT O. TOMAN, R.P. :

TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY AND THE :
PERMIT OF: :

BARNSBORO PHARMACY :

TO OPERATE A PHARMACY IN THE :
STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of information that Herbert Toman had pled guilty on August 29, 1994 to Unlawful Dispensing of Controlled Dangerous Substances specifically, Tussionex, a Schedule III CDS and was sentenced to a two year probationary term commencing on October 7, 1994.

Respondent being desirous of resolving this matter without the necessity of further formal proceedings, and respondent having

agreed to abide by the terms of the within Order, and for good cause shown,

IT IS THEREFORE ON THIS *17th* DAY OF *January* 1995, ORDERED AND AGREED:

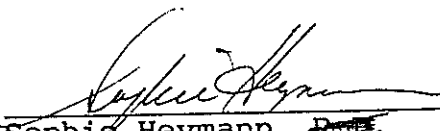
1. Respondent Herbert O. Toman voluntarily agrees to a revocation of his license to practice pharmacy effective March 31, 1995.

2. Effective with the revocation of his license, Herbert C. Toman shall cease and desist in the practice of pharmacy in any manner or form, including but not limited to the following: he shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not engage in the acceptance of any prescription in person or by telephone; he shall not engage in the verification of refill authorization by telephone; he shall not advise or consult with any person concerning the properties and actions of drugs.

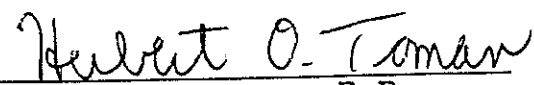
3. No later than March 31, 1995, the respondent shall divest himself of all interest which he presently holds in Barnsboro Pharmacy to a person unrelated to him through consanguinity or marriage or to a partnership or corporation in which none of the partners or principals are related to him through consanguinity or marriage. Respondent shall provide the Board with a copy of the executed contract of sale. If respondent has not been successful in transferring ownership by March 31, 1995, he shall

surrender the permit of Barnsboro Pharmacy to the Board with prejudice to any future reinstatement.

STATE BOARD OF PHARMACY

By: 
Sophie Heymann, ~~R.P.~~
President

I have read the within Order
and I understand its terms.
I consent to its entry by the
New Jersey State Board of
Pharmacy.


Herbert O. Toman, R.P.
Owner and R.P.-in-charge
Barnsboro Pharmacy